

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

***INTERNATIONAL FORM***

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Genome Therapeutics Corp.  
Attn: Randall D. Little  
100 Beaver Street  
Waltham, MA 02453-8443

Deposited on Behalf of: Genome Therapeutics Corporation

Identification Reference by Depositor:	ATCC Designation
BAC Clone CIT-HSP-1576I10 in Escherichia coli HS996	98906
—BAC Clone CIT-HSP-1527D12 in E. coli HS996	98907
BAC Clone CIT-HSP-147303 in E. coli HS996	98908
BAC Clone CIT-HSP-1442P6 in E. coli HS996	98909
BAC Clone CIT987SK-1160D8 in E. coli HS996	98910
BAC Clone CIT-HSP-1271K22 in E. coli HS996	98911
BAC Clone CIT-HSP-1292J18 in E. coli HS996	98912
BAC Clone CIT-HSP-1337L5 in E. coli HS996	98913

The deposits were accompanied by:  a scientific description  a proposed taxonomic description indicated above. The deposits were received October 2, 1998 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:  We will not inform you of requests for the strains.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

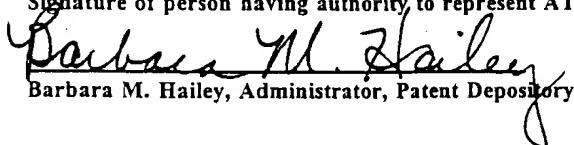
If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested October 8, 1998 On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

  
Barbara M. Hailey, Administrator, Patent Depository

Date: October 8, 1998

AMERICAN TYPE CULTURE COLLECTION  
10801 University Blvd.  
Manassas, VA 20110-2209  
Telephone: 703-365-2700  
Fax: 703-365-2745

FACSIMILE

Date: October 8, 1998  
To: Randall D. Little  
Genome Therapeutics Corp.  
Fax Number: 781-642-0310  
From: ATCC Patent Depository  
Number of pages: 1 (Including this page)

REFERENCE: Patent Deposit

BAC Clone CIT-HSP-1576I10 in Escherichia coli HS996 assigned ATCC 98906,  
BAC Clone CIT-HSP-1527D12 in E. coli HS996 assigned ATCC 98907,  
BAC Clone CIT-HSP-147303 in E. coli HS996 assigned ATCC 98908,  
BAC Clone CIT-HSP-1442P6 in E. coli HS996 assigned ATCC 98909,  
BAC Clone CIT987SK-1160D8 in E. coli HS996 assigned ATCC 98910,  
BAC Clone CIT-HSP-1271K22 in E. coli HS996 assigned ATCC 98911,  
BAC Clone CIT-HSP-1292J18 in E. coli HS996 assigned ATCC 98912, and  
BAC Clone CIT-HSP-1337L5 in E. coli HS996 assigned ATCC 98913.

Date of Deposit: October 2, 1998. Paperwork will be forwarded to you in a few days. An invoice will be sent under separate cover sent to the attention of K. Hentschel referencing P.O. 55621:

One time fee - 30 years	\$ 4,800.00
Viability Test	<u>800.00</u>
Total amount to ATCC 98906-98913	\$ 5,600.00
Balance due to ATCC 98906-98913	\$ 5,600.00

Barbara Hailey  
Barbara M. Hailey, Administrator  
ATCC Patent Depository

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AMERICAN TYPE CULTURE COLLECTION  
12301 Parklawn Drive  
Rockville, Maryland 20852 USA

Telephone: 301/231-5519  
FAX: 301/816-4366

FACSIMILE

Date: January 9, 1998

To: Randall D. Little  
Genome Therapeutics Corp.

Fax Number: 781-642-0310

Total number of pages including this page: One (1)

From: ATCC Patent Depository

Reference: Patent Deposit on behalf of Genome Therapeutics Corp.

*Escherichia coli* HS996, CIT987SK-1180D17 assigned ATCC 98624,  
*E. coli* HS996, CIT-HSP-1382N10 assigned ATCC 98625,  
*E. coli* HS996, CIT987Sk-1047H10 assigned ATCC 98626,  
*E. coli* HS996, CIT987SK-1036F16 assigned ATCC 98627, and  
*E. coli* HS996, CIT-HSP-1200E21 assigned ATCC 98628.

Date of deposit December 30, 1997. Paperwork will be forwarded to you in a few days.

An invoice will be sent under separate cover to Kurt Hentschel referencing P.O. #55144  
as follows:

One time fee - 30 years	\$ 3,000.00
Viability Test	<u>500.00</u>

Total amount due to ATCC 98624-98628	\$ 3,500.00
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Barbara Hailey  
Barbara M. Hailey, Administrator, ATCC Patent Depository  
Telephone: 301/231-5519

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# American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: 301-231-5519 or 231-5532 • FAX: 301-816-4366

## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

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Attn: Randall D. Little  
100 Beaver Street  
Waltham, MA 02154

Deposited on Behalf of: Genome Therapeutics Corp.

Identification Reference by Depositor:

ATCC Designation

<i>Escherichia coli</i> HS996, CIT987SK-1180D17	98624
<i>E. coli</i> HS996, CIT-HSP-1382N10	98625
<i>E. coli</i> HS996, CIT987Sk-1047H10	98626
<i>E. coli</i> HS996, CIT987SK-1036F16	98627
<i>E. coli</i> HS996, CIT-HSP-1200E21-	98628

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International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey

Barbara M. Hailey, Administrator, Patent Depository

Date: January 9, 1998

cc: Pam Ariniello